

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ARCELIO JOSEPH REYBOL,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
WATER RESOURCES, et al.,

Defendants.

Case No. 3:23-cv-05504-JSC

**ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING ACTION**

Re: Dkt. Nos. 7, 9

The Court has reviewed Magistrate Judge Lisa Cisneros's report and recommendation to dismiss this action for lack of subject matter jurisdiction pursuant to 28 U.S.C. § 1915(e). (Dkt. Nos. 7, 9.) Judge Cisneros previously screened the case and concluded Plaintiff's complaint against the California Department of Water Resources, Paulina Johnson (identified as an "office technician"), the "California EPA", and the "California PUC" regarding a job Mr. Reybol applied for with the Department of Water Resources that he did not receive, did not allege a basis for federal subject matter jurisdiction. (Dkt. No. 7.) Judge Cisneros ordered Plaintiff to show cause as to why the action should not be dismissed for lack of subject matter jurisdiction. (*Id.* at 6.)

Plaintiff thereafter filed a document captioned "Federal Rules of Civil Procedure Rule 7(a): Answer," attaching miscellaneous pages, some of which are other previous filings in this case. (Dkt. No. 8.) Judge Cisneros reviewed the documents and concluded they failed to address the Court's Order to Show Cause or provide a basis for the Court's subject matter jurisdiction. (Dkt. No. 9.) Judge Cisneros thus prepared the underlying report and recommendation recommending the action be dismissed for lack of subject matter jurisdiction. (*Id.* at 2.). Plaintiff did not file objections or otherwise respond to Judge Cisneros's report and recommendation.

Accordingly, the Court finds the report correct, well-reasoned, and thorough, and

ADOPTS the report and recommendation. The complaint is dismissed under 28 U.S.C. § 1915(e)(2) without prejudice to filing in state court.

This Order disposes of Docket No. 9.

IT IS SO ORDERED.

Dated: April 17, 2024


JACQUILINE SCOTT CORLEY
United States District Judge

United States District Court
Northern District of California